

1 **STIP**

2 **BRIAN J. SMITH, ESQ.**

3 **State Bar Number 11279**

4 **9525 Hillwood Dr., Suite 190**

5 **Las Vegas, Nevada 89134**

6 **702-380-8248**

7 **Attorney for JONES**

8 **UNITED STATES DISTRICT COURT**

9 **IN AND FOR THE DISTRICT OF NEVADA**

10 **UNITED STATES OF AMERICA,**

11 **Case No.: 2:16-mj-00278-PAL**

12 **Plaintiff,**

13 **STIPULATION TO CHANGE
MOTION TO WITHDRAW
HEARING DATE**

14 **vs.**

15 **NICHOLAS JONES,**

16 **Defendant.**

17 *Certification:* This stipulation is filed pursuant to General Order 2007-04.

18 IT IS STIPULATED between the defendant NICHOLAS JONES through his
19 attorney BRIAN J. SMITH, ESQ., through CRISTINA SILVA, Assistant United States
20 Attorney, that the Motion to Withdraw hearing currently scheduled for May 12, 2016, at
21 the hour of 11:30 a.m., be vacated and set to May 11, 2016 or after June 1, 2016, or to
22 date and time convenient to this court.

23 This Stipulation is entered into pursuant to General Order 2007-04 and based
24 upon the following:

25 1. There have been no previous continuances granted to the defense in this
26 case.

27 2. Defense counsel will be in Los Angeles on May 12, 2016, and will be out of
28 the country from May 16 to May 31, 2016 on a prepaid, preplanned trip.

3. The parties agree to the continuance.

4. For the above stated reasons, the parties agree that a change of motion
date would best serve the ends of justice in this case.

1 5. This is the first request for a change of Motion to Withdraw hearing date in
2 this case.

3 DATED this 2nd day of May, 2016.

4 RESPECTFULLY SUBMITTED BY:

5 /s/ Cristina Silva
6 CRISTINA SILVA
7 Assistant United States Attorney

5 /s/ Brian J. Smith
6 BRIAN J. SMITH
7 Attorney for NICHOLAS JONES

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BRIAN J. SMITH, ESQ.
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Las Vegas, Nevada 89134
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Attorney for JONES**

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
vs.)
NICHOLAS JONES,)
Defendant.)
)
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Case No.: 2:16-mj-00278-PAL
STIPULATION TO CHANGE
MOTION HEARING DATE

FINDINGS OF FACT

Based upon the submitted Stipulation, and good cause appearing therefore, the Court finds that:

1. Defense counsel will be out of jurisdiction from May 12 to May 31, 2016 on a prepaid, preplanned trip.
2. This stipulation complies with General Order 2007-04.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny the defense herein sufficient time and the opportunity within which to be able to effectively and thoroughly research and prepare this case, taking into account the exercise of due diligence.
2. Additionally, denial of this request for continuance would result in a miscarriage of justice.

- 1 3. For all of the above stated reasons, the ends of justice would best be
- 2 served by a continuance of the trial date, and such continuance outweighs
- 3 the best interest of the public and the defendant to a speedy trial.
- 4 4. This is the fourth request for a continuance.

5 **ORDER**

6 **IT IS ORDERED** that the motion to withdraw currently scheduled for May 12,
7 2016, at the hour of 11:30 a.m., be vacated and continued to May 11, 2016, at the hour of
8 9:00 a.m.

9 IT IS SO ORDERED:

10 
11 UNITED STATES MAGISTRATE JUDGE

12 DATED: May 5, 2016

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